

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR ANALYSIS AND  
SORTING OF POLYNUCLEOTIDES BASED ON SIZE

the specification of which

☐ is attached hereto.

☒ was filed on 9/23/97 as Application Serial No. 08/932,774 and was amended on .

☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
60/026,693	9/25/96	<input type="checkbox"/> Pending <input type="checkbox"/> Issued <input checked="" type="checkbox"/> Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Scott C. Harris, Reg. No. 32,030; William J. Egan, III, Reg. No. 28,411; David L. Feigenbaum, Reg. No. 30,378; John F. Land, Reg. No. 29,554; Ralph A. Mittelberger, Reg. No. 33,195; Hans R. Troesch, Reg. No. 36,950 and John R. Wetherell, Jr., Reg. No. 31,678 of Fish & Richardson P.C.

Address all telephone calls to Scott C. Harris at telephone number 619/678-5070.

Address all correspondence to Scott C. Harris, Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

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that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Stephen Quake  
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 Inventor's Signature: [Signature] Date: 10/2/98  
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60129.L11

EXPRESS MAIL CERTIFICATE

Date

3/6/01 EL

Label No.

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I hereby certify that, on the date indicated above I deposited this paper or fee with the U S Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service

A. DiLullo A. DiLullo  
Name (Print) Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR  
CREDIT ANY EXCESS IN THE FEES DUE WITH THIS  
DOCUMENT TO OUR DEPOSIT ACCOUNT NO 04-0100

Docket No: 3153/1F570 US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen QUAKE and Wayne D. VOLKMU TH

Serial No.: 09/499,943

Art Unit: 2856

Filed: February 8, 2000

Examiner: T. Noland

For: METHOD AND APPARATUS FOR ANALYSIS AND SORTING OF  
POLYNUCLEOTIDES BASED ON SIZE

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REVOCATION OF POWER OF ATTORNEY, SUBSTITUTE POWER OF ATTORNEY,  
CHANGE OF CORRESPONDENCE ADDRESS AND  
CERTIFICATION UNDER 37 C.F.R. § 3.73(b)

Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

The Assignee of the above-captioned patent application, through the undersigned officer, hereby revokes all prior Powers of Attorney for the instant application and appoints the following as his attorneys and/or agents with full power of substitution and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office in connection therewith:

10021330-1301  
TOTTENHAM

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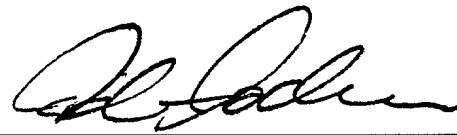
all members of the firm **DARRBY & DARBY, P.C.**, located at **805 Third Avenue, New York, New York 10022**. Please address all communication relating to the present application to Samuel S. Woodley, III of Darby & Darby, P.C. at the above address.

The above-captioned patent application is a divisional of prior application serial no. 08/932,774 filed on September 23, 1997 (hereinafter "the '774 application"). **The California Institute of Technology** hereby certifies, through its undersigned officer and in accordance with 37 C.F.R. § 3.73(b), that it is the Assignee of the entire right, title and interest in the instant application by virtue of an assignment by the inventors, Stephen QUAKE and Wayne D. VOLKMUTH, of the '774 application. The assignment for the '774 application was recorded in the U.S. Patent and Trademark Office at Reel 010617, Frame 0454.

The undersigned has reviewed the evidentiary documents in the chain of title for the above-captioned patent application and certifies that, to the best of the Assignee's knowledge and belief, title is in the Assignee seeking to take action. The undersigned further certifies that he is an authorized officer and is empowered to act on behalf of said Assignee.

Date: OCT -9 2000

By: \_\_\_\_\_



Adam Cochran, Esq.  
Intellectual Property Counsel  
**California Institute of Technology**